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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Helmut SCHWAB et al. : Attn: APPLICATION BRANCH
Serial No. [NEW] : Docket No. 2001-1882A
Filed January 16, 2002 :

NEW GENES CONTAINING A DNA
SEQUENCE CODING FOR HYDROXY-
NITRILE LYASE, RECOMBINANT
PROTEINS DERIVED THEREFROM AND
HAVING HYDROXYNITRILE LYASE
ACTIVITY, AND USE THEREOF

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

In the interest of compact prosecution and to reduce PTO filing fees, please amend the present application as follows:

IN THE CLAIMS:

Please cancel claims 12 and 16 without prejudice to the subject matter thereof.

Please amend claims 7, 11, 13 to 15, and 17 as follows:

7. (Amended) A recombinant protein, which can be prepared in suitable host cells by heterologous expression of the DNA sequence of the *Prunus amygdalus HNL* genes as claimed in claim 1.

11. (Amended) The recombinant protein as claimed in claim 7, wherein the protein has the amino acid sequence derived from the nucleotide sequence of the gene containing a DNA

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